

TO: Examiner Kelly CAMPEN

RECEIVED
TECHNOLOGY CENTER 3600

02 JUL 16 AM 10:37

FROM: Michael Picciallo / Peter Batch

RE: Declaration

Please call Mr. Batch at 215-717-2246 to
acknowledge receipt.

24 pages including cover.

Thanks again for your cooperation + assistance.

Michael J. Picciallo

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of: Michael J. Picciallo****Application No.: 09/478,051****Examiner: K. Campen****Filed: January 15, 2000****Group Art Unit: 2899****For: ALLOWANCE CARD OR ACCOUNT****Attorney Docket No.: P22,425-B USA****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the correspondence, along with any paper indicated as being enclosed, are being sent via facsimile addressed to: Commissioner for Patents, Washington, D.C. 20231 at (703) 746-3358 on July 16, 2002.

Dated: July 16, 2002

Michael J. Picciallo
Michael J. Picciallo

Commissioner for Patents
Washington, D.C. 20231

DECLARATION OF MICHAEL J. PICCIALLO PURSUANT TO 37 C.F.R. § 1.131

Michael J. Picciallo declares and states that:

1. I am the inventor named in the above-referenced patent application. I am making this Declaration to provide evidence that I reduced to practice, or at the very least conceived, the presently claimed invention before September 25, 1995.

2. Exhibit A is a true copy of a sealed envelope containing a disclosure of my invention as it is presently claimed, which I mailed to myself on a date prior to September 25, 1995. The envelope bears a post mark dated prior to September 25, 1995, which has been redacted. Prior to sealing the envelope with tape, I signed the sealed flap and positioned the

Applicant(s): Michael J. Picciallo
Application No.: 09/478,051
Page 2

Docket No.: P22,425-B USA

tape over my signature. This is also shown in Exhibit A. I also wrote the then-title of the application around the stamp, so that this was also marked with the post mark upon cancellation of the stamp. This is also shown in Exhibit A. The envelope remains sealed to this date.

3. The envelope contains a copy of a disclosure that is substantially the same as the application that I eventually filed with the U.S. Patent and Trademark Office. My original application is attached hereto as Exhibit B. Exhibit B contain a three-page, hand-written disclosure dated January 4, 1996 that I mailed to the U.S. Patent and Trademark Office on that date. Attached hereto as Exhibit C are a Notice of Incomplete Application and a Notice to File Missing Parts that I received from the Patent Office, both dated March 15, 1996. These documents reflect that the application was given a January 11, 1996 "receipt date," but it was not accorded a filing date because it lacked a claim. An executed declaration and drawings were also requested. These were mailed to the Patent Office on April 10, 1996 with a photocopy of the disclosure I filed on January 4. The drawings, claim and declaration that were added to the January 4 application are attached hereto as Exhibit D. My application was ultimately given an April 16, 1996 filing date. A copy of the filing receipt is attached hereto as Exhibit E.

4. Thus the sealed envelope contains a disclosure substantially the same as the three-page handwritten disclosure of Exhibit B. While this may not meet the requirements for a patent application, it certainly serves as a disclosure document, with the post mark on the

Applicant(s): Michael J. Picciallo
Application No.: 09/478,051
Page 3

Docket No.: P22,425-B USA

envelope documenting that I was in possession of the invention as it is presently claimed on a date prior to September 25, 1995.

5. The disclosure states:

The philosophy of the Allowance Card and how it works is very simple. A major credit card company [such as] Visa, Master Card, Discovery [(sic.)], Amex will be the support. Say John Doe has a card such as those stated above. He has a son and daughter in high school and wants to give them a monthly allowance but is afraid of just handing out money and where they are spending it. He has the card company issue two allowance cards under his main account. He tells the card company to take \$80.00 a month, charge it to his account, and put \$40.00 to each of children's allowance cards. They can only spend that \$40.00, no more ...

This essentially embodies the subject matter of my invention as it is presently claimed.

6. Once informed of my idea, one skilled in the art can readily implement it by employing state of the art technology, such as that disclosed by U.S. Patent No. 5,220,501. Thus, Exhibit B represents a fully-enabling description of how to practice my invention.

7. The foregoing statements and attached Exhibits thus demonstrate that I reduced to practice the claimed invention before September 25, 1995, or that at the very least I conceived of it prior to that date and then diligently performed a constructive reduction to practice through the filing of my patent application

8. I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true and further that the

Applicant(s): Michael J. Picciallo
Application No.: 09/478,051
Page 4

Docket No.: P22,425-B USA .

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the application or any patent that issues thereon.

Michael J. Picciallo
Michael J. Picciallo

7/18/02
Dated